

Commissioner _____ introduced the following resolution and moved for its adoption:

RESOLUTION #17-10-280

A RESOLUTION APPROVING THE ISSUANCE OF A VARIANCE TO THE REAR YARD SETBACK ON THE PROPERTY GENERALLY KNOWN AS 15395 ARMSTRONG BOULEVARD NW AND DECLARING TERMS OF SAME.

RECITALS

1. Peter Medved and Lynn Medved, husband and wife, hereinafter referred to as the “Permittee”, have properly applied for a Variance to the rear yard setback to construct an addition on the rear of the home on the property located at 15395 Armstrong Blvd NW and legally described as follows:

Lot 2 Block 1 Smith Addition, Anoka County Minnesota

(“Subject Property”)

2. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Section 117-53 of the Ramsey City Code on November 2, 2017, and that the public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
3. That the Subject Property is zoned R-1 Residential (Rural Developing) District; the surrounding parcels are also zoned R-1 Residential (Rural Developing).
4. That in 2000, the then property owner applied for a Sketch Plan (Smith Addition) review to subdivide an approximately twenty (20) acre parcel into two (2) ten (10) acre parcels.
5. That prior to Final Plat review of Smith Addition, the City acquired a portion of the Subject Property for right-of-way for the eastward extension of 153rd Ave NW (now known as Alpine Drive).
6. That the Subject Property was originally approximately ten (10) acres in size.
7. That the right-of-way boundary was sited such that it avoided impacts to the large wetland complex to the east, leaving the Subject Property with a rather narrow depth (approximately 160 feet).
8. That a home was constructed on the Subject Property to meet the minimum required setbacks and is approximately forty-six (46) feet from the rear lot line.
9. That in 2009, the City acquired the approximately 7.7 acres of land east of Alpine Drive that had been separated from the remainder of the Subject Property.

10. That the Subject Property is now approximately 1.24 acres in size.
11. That the Permittee also owns the home on the parcel to the south.
12. That there is tree cover between the Subject Property and the home to the south providing some screening of the rear yard.
13. That there are two large accessory buildings between the Permittee's home and the home on the parcel to the north, completely screening the Permittee's rear yard from the neighboring property to the north's home.
14. That surrounding properties to the north, south, and west are approximately the equivalent size as the Subject Property and the parcels to the east, which are undeveloped and consist almost entirely of wetland, are five (5) plus acres in size.
15. That the parcels on the east side of Alpine Drive are entirely encumbered with drainage and utility easements and are therefore not buildable.
16. That the Permittee has applied for a Building Permit to construct a fourteen foot by twenty-four foot (14' x 24') addition to rear wall of the home that would be approximately thirty-two (32) feet from the rear lot line.
17. That the proposed addition would have an exterior finish consisting of lap siding, windows, and architectural shingles that are consistent with the home.

FINDINGS OF FACT

1. That the proposed use will/will not adversely impact traffic in the area.
2. That the proposed use will/will not substantially or adversely impair the use, enjoyment or market value of surrounding properties.
3. That the proposed use will/will not be constructed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such use will/will not change the essential character of the area.
4. That the proposed use will/will not create additional requirements at public cost for public facilities and services.
5. That the proposed use will/will not be detrimental to the economic welfare of the community.
6. That the proposed use will/will not be disturbing or hazardous to existing or future neighboring uses.

7. That the proposed use will/will not involve uses, activities, processes, materials and equipment and conditions of operation that may be detrimental to any persons, property or the general welfare, by reason of excessive production of traffic, noise, smoke or glare.
8. That the proposed use will/will not be in accordance with the objectives of the intent of Section 117-53 (Variances) of the City Code.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the Ramsey Planning Commission hereby grants approval of a variance (the “Variance”) to construct a fourteen foot by twenty-four foot (14’ x 24’) addition (the “Addition”) to rear of the home within the required rear yard setback on the Subject Property contingent upon the following conditions:

CONDITIONS

1. That there shall be no additional structures or additions constructed on the **Subject Property**, unless in accordance with City Code.
2. That the **Permittee** shall construct the **Addition** in accordance with all other provisions of City Code Section 117-111 (R-1 Residential District).
3. That the **Permittee** agrees to construct the **Addition** as shown in **Exhibit 1**.
4. That this **Variance** shall be perpetual in duration as long as the terms are herein complied with.
5. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Variance**.
6. That the **Permittee** shall obtain all necessary permits prior to commencing any construction of the **Addition**, including a Building Permit.
7. That the City Administrator, or his/her designee, shall have the right to inspect the **Subject Property** for compliance and safety purposes annually or at any time, upon reasonable request.
8. That this **Variance** shall automatically expire if the use is not initiated by November 2, 2018 and issuance of the Building Permit shall constitute initiation.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey Planning Commission this the 2nd day of November, 2017.

**Exhibit 1
Site Plan**

